

**Cass County Planning Commission Meeting**  
**Thursday, July 28, 2016 at 7:00 a.m.**  
**Cass County Highway Department Vector Conference Room**  
**1201 West Main Avenue in West Fargo**  
**Agenda**

Business Items:

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approve Meeting Minutes of May 26, 2016
5. New Business
  - A. Welcome to Mayor Timothy J. Mahoney as Fargo's representative on the Cass County Planning Commission
  - B. Comprehensive Plan Update
  - C. Public Hearing Items:
    - Corner Subdivision** – A Minor subdivision in Section 8 of Normanna Township
    - Chris Hansen Subdivision** – A Minor subdivision in Section 21 of Bell Township
    - Kindred I94 Exit Subdivision** – A Minor subdivision in Section 4 of Mapleton Township
6. Old Business
  - A. Recorded Plats – Nelson Hest Subdivision and Strand Subdivision
7. Adjournment

**CASS COUNTY PLANNING COMMISSION  
MAY 26, 2016**

**1. MEETING TO ORDER**

A meeting of the Cass County Planning Commission was called to order on May 26, 2016, at 7:00 AM in the Vector Control Conference Room with members present as follows: Todd Ellig, Kevin Fisher, David Gust, Ken Lougheed, Rick Steen, and Mark Wentz. Mark Brodshaug, Keith Monson, and Melissa Sobolik were absent. Also present were County Planner Hali Durand, and Cindy Kuismi of Otter Tail Power Company.

**2. MINUTES, APPROVED**

*MOTION, passed*

**Mr. Gust moved and Mr. Fisher seconded to approve the minutes of the April 28, 2016, meeting as presented. Motion carried.**

**3. KELLERMAN SUBDIVISION (Minor Subdivision), Final plat approved**

Mr. Lougheed opened the public hearing.

An application for a Minor Subdivision (plat) was received by the Cass County Planning Office for approval of a tract of land located in part of the Southwest Quarter of Section 22 in Watson Township to plat one additional lot for residential development. The said tract contains 2.50 acres of land, more or less. The subdivision will use private gravel roads, ditches for storm sewer conveyance, rural water, and an on-site septic sewer system. The proposed ownership and maintenance responsibility of the subdivision will be private. The existing land is and will remain agricultural.

Ms. Durand said the proposed lot is adjacent to another developed lot, and a deed restriction is required for 120 acres less the parcels platted.

Ms. Durand recommends approval of the Final Plat as it meets all required regulations.

The public hearing was closed.

*MOTION, passed*

**Mr. Gust moved and Mr. Steen seconded to recommend approval to the Cass County Commission of the Final Plat for Kellerman Subdivision (Minor Subdivision) as presented. Motion carried.**

**4. SPROUL SUBDIVISION (Minor Subdivision), Final plat approved**

Mr. Lougheed opened the public hearing.

An application for a Minor Subdivision (plat) was received by the Cass County Planning Office for approval of a tract of land located in part of the Northeast Quarter of Section 8 in Buffalo Township to expand an existing lot to add a substation for electrical equipment. The said tract contains 14.61 acres of land, more or less. The subdivision will use public gravel roads, utilize no water supply or on-site septic sewer system, and will utilize ditches for storm sewer conveyance. The ownership and maintenance

responsibility of the subdivision will be private. The existing land is and will remain agricultural.

Cindy Kuismi of Otter Tail was present. Ms. Kuismi said Minnkota Power Cooperative owns the land and tower on the existing substation lot, and Otter Tail owns the equipment. For the proposed plat Otter Tail would own both the land and the equipment.

Ms. Durand said a deed restriction is required for 40 acres less the parcel platted.

Ms. Durand recommends approval of the Final Plat as it meets all required regulations.

Mr. Ellig asked if the deed restriction should be waived and a variance for municipal infrastructure should be put in place as there will be no residence now or ever on the remaining lot. Ms. Durand said deed restrictions are not limited to only residential development.

Ms. Kuismi said Otter Tail is purchasing the remainder of the property in question and the seller, Mr. Sproul, is supportive of the current arrangement.

The public hearing was closed.

***MOTION, passed***

**Mr. Gust moved and Mr. Wentz seconded to recommend approval to the Cass County Commission of the Final Plat for Sproul Subdivision (Minor Subdivision) as presented. Motion carried.**

**5. OLD BUSINESS**

Ms. Durand said the Strand and Nelson Hest Subdivisions have been approved by the county commission. After the Nelson Hest Subdivision was approved by the planning commission, Ms. Durand received a letter from the township stating it was denied by their board as the township erroneously thought that the deed restriction would apply to the entire section. Ms. Durand has since spoken with township officials to clarify the matter and has been told they will now approve the subdivision.

Ms. Durand said Stan Wolf, Weed Control Officer, has requested a letter of support from the planning commission regarding the Weed Management Plan. Once the plan has been approved by the county commission Ms. Durand will update the Subdivision Ordinance to include language that supports the Weed Management Plan when development occurs.

***MOTION, passed***

**Mr. Fisher moved and Mr. Ellig seconded to authorize the chair to sign a letter of support for the Weed Control Management Plan. Motion carried.**

Mr. Fisher asked if septic regulations will be implemented statewide, as was discussed at the previous meeting. Ms. Durand said she has not heard any update on the matter.

There was discussion on how to enforce compliance with the Subdivision Ordinance and how to educate entities of its existence.

6. **ADJOURNMENT**

**On motion by Mr. Ellig, seconded by Mr. Wentz, and all voting in favor, the meeting was adjourned at 7:47 AM.**

Minutes prepared by Brielle Edwards, HR Assistant

## Final Plat Report

**Title:** Corner Subdivision  
**Owner(s):** Marjorie Corner  
**Applicant:** Steven Ackerman  
**Type of Request:** Minor Subdivision (1 lot)  
**Status:** Final Hearing at the July 28, 2016 Planning Commission Meeting

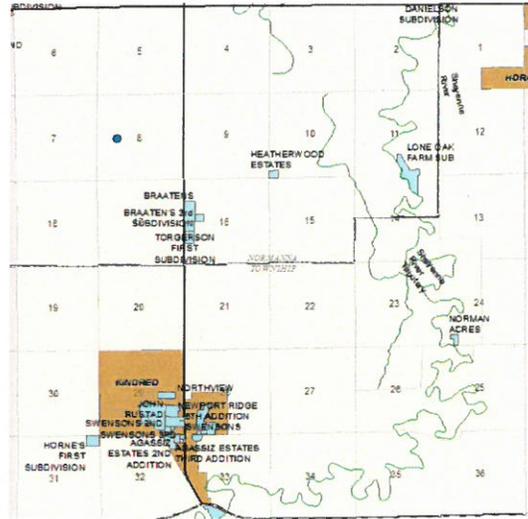
**Proposal:**

An application for a Minor Subdivision (plat) has been received by the Cass County Planning Office for approval of a tract of land located in a part of the South Half of the Northwest Quarter and the North Half of the Southwest Quarter of Section 8 in Normanna Township to plat 1 lot for residential sale. The said tract contains 20.00 acres of land, more or less. The subdivision (plat) will continue to use public gravel roads, on-site septic sewer systems, ditches for storm sewer, and rural water.

**Existing and Proposed Land Use:**

The existing land is and will remain Agricultural.

**Vicinity Map:**



**Staff Analysis:**

The proposed subdivision is located north of 50th Street SE and east of 164th Avenue SE. The proposed plat is currently within an unmapped area therefore no flood determination has been made and preliminary western cass flood studies indicate this area is within Zone X. No wetlands are present within the subject tract. The subject property is bound by agricultural land. The proposed use is consistent with County Ordinances and the Normanna Township Ordinance which states that no more than 3 non-farm dwellings per quarter section are allowed

**Agency Comments**

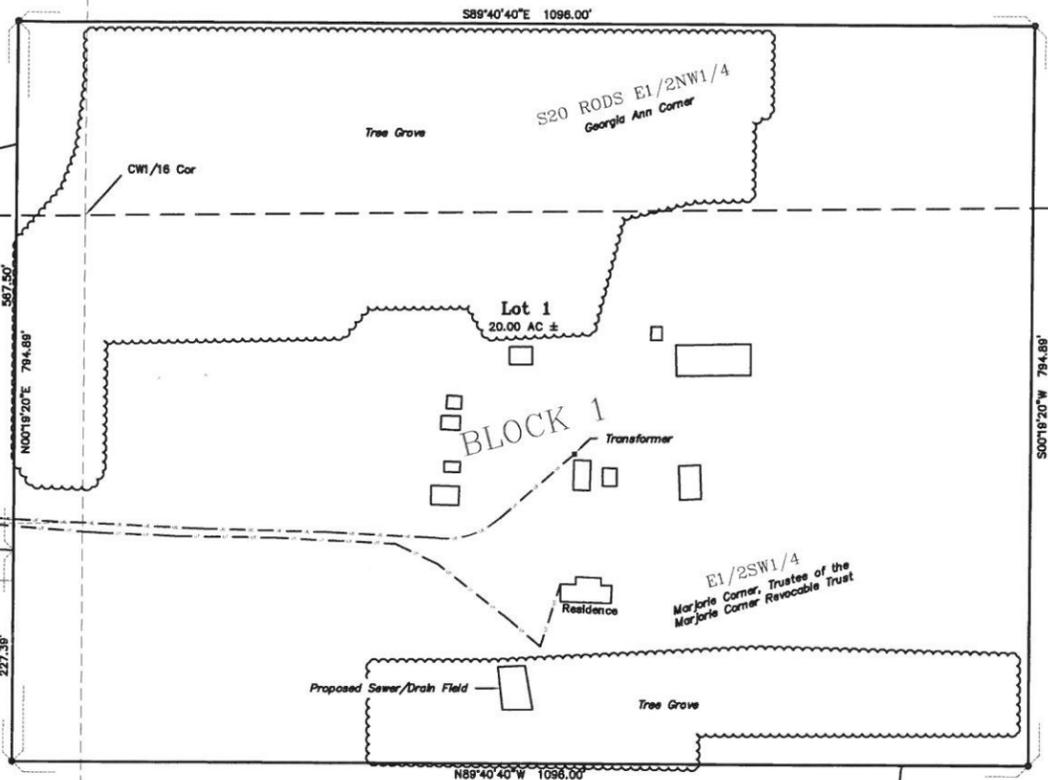
Cass County Engineer	No comment.
Water Resource District	The Maple River Water Resource District has no comment.
Cass County Electric Cooperative	No comment.
Century Link	No comment.
Xcel Energy (Gas Company)	No comment.
Cass Rural Water	na
County Sanitarian	na
Township Chairman	Since no new development will occur, there are no concerns with the plat.
Public Comment	No comments have been submitted.

**Recommendation:**

To recommend approval to the Cass County Board of Commissioners of the Final Plat as presented as it meets the goals and objectives of the Cass County Comprehensive Plan, the Cass County Highway Access Plan, the Flood Damage Prevention Ordinance, the Cass County Subdivision Ordinance, and all other applicable regulations.

# PRELIMINARY PLAT OF CORNER SUBDIVISION

A part of the S1/2NW1/4 & the N1/2SW1/4,  
Section 8, Township 137 North, Range 50 West of the 5th P.M.,  
Normanna Township, Cass County, North Dakota



107 South 2nd St.  
Wahpeton, ND 58075  
701-642-9404

SCALE: 1 inch = 100 feet

- LEGEND**
- - CORNER MARKED WITH A 5/8" X 18" SOLID IRON PIN WITH RED PLASTIC CAP MARKED "ND2988 SD5228"
  - - EXISTING OR FOUND CORNER MONUMENT
  - △ - STEEL FENCE POST
  - REC. - RECORD OR ORIGINAL DISTANCE
  - MEA - MEASURED DISTANCE THIS SURVEY
  - DOC. - MONUMENT RECORD ON FILE AT COUNTY REGISTER OF DEEDS
  - NOTE - THIS SURVEY IS BASED ON AN ASSUMED MERIDIAN

**OWNERS' CERTIFICATE AND DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, that Holly Jean Corner, whose address is 514 9th Street South, Moorhead, MN 56560, Marjorie Corner, Trustee of the Marjorie Corner Revocable Trust, whose address is 514 9th Street South, Moorhead, MN 56560, and Georgia Ann Corner, whose address is 425 Broome Street, Apt. 4-R, New York, New York, 10013, are the owners and proprietors of a tract of land located in the South Half of the Northwest Quarter (S1/2NW1/4) and the North Half of the Southwest Quarter (N1/2SW1/4) of Section 8, Township 137 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota, and more particularly described as follows:

Commencing at the iron monument marking the West Quarter Corner of said Section 8 (Land Survey Monument Record No. 3558); thence on an assumed bearing of South 00°19'20" West, on and along the west line of said Section 8, a distance of 307.50 feet; thence South 88°01'59" East a distance of 1260.00 feet to the POINT OF BEGINNING; thence North 00°19'20" East, parallel with the said west line of Section 8, a distance of 567.50 feet; thence South 89°40'40" East, perpendicular to the said west line of Section 8, a distance of 1096.00 feet; thence South 00°19'20" West, parallel with the said west line of Section 8, a distance of 794.89 feet; thence North 89°40'40" West, perpendicular to the said west line of Section 8, a distance of 1096.00 feet; thence North 00°19'20" East, parallel with the said west line of Section 8, a distance of 227.39 feet to the point of beginning.

The above described tract contains 20.00 acres, more or less, and is subject to easements, reservations, restrictions, and rights of way of record, if any, and shall include a 66 foot wide access easement for ingress and egress, the centerline of which is described as follows:

Commencing at the iron monument marking the West Quarter Corner of said Section 8 (Land Survey Monument Record No. 3558); thence on an assumed bearing of South 00°19'20" West, on and along the west line of said Section 8, a distance of 307.50 feet to the POINT OF BEGINNING; thence said centerline bears South 88°01'59" East a distance of 1260.00 feet and there terminates. The said centerline bears South 88°01'59" East a distance of 1260.00 feet and there terminates. The said centerline bears South 88°01'59" East a distance of 1260.00 feet and there terminates. The said centerline bears South 88°01'59" East a distance of 1260.00 feet and there terminates.

Said owners have caused the above described tract of land to be surveyed and platted as "CORNER SUBDIVISION" in the County of Cass and the State of North Dakota, and do hereby dedicate and convey to the public for public use the utility easements as shown on this plat.

OWNERS:  
Holly Jean Corner, Marjorie Corner, Trustee of the Marjorie Corner Revocable Trust, Georgia Ann Corner

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

On this \_\_\_\_ day of \_\_\_\_\_, 2016, before me, a notary public, with and for said county, personally appeared (Holly Jean Corner and Marjorie Corner to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as a free act and deed.

Notary Public  
My commission expires \_\_\_\_\_, 20\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

On this \_\_\_\_ day of \_\_\_\_\_, 2016, before me, a notary public, with and for said county, personally appeared Georgia Ann Corner to me known to be the persons described in and who executed the foregoing instrument and acknowledged that she executed the same as a free act and deed.

Notary Public  
My commission expires \_\_\_\_\_, 20\_\_\_\_

**COUNTY ENGINEER REVIEW**  
Approved by Cass County Engineer this \_\_\_\_ day of \_\_\_\_\_, 2016.

Jason Benson, Cass County Engineer

**NORMANNA TOWNSHIP REVIEW**  
Reviewed by Normanna Township, Cass County, North Dakota this \_\_\_\_ day of \_\_\_\_\_, 2016.

Chairman \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk

**CASS COUNTY COMMISSION APPROVAL**  
Approved by the Board of County Commissioners and ordered filed this \_\_\_\_ day of \_\_\_\_\_, 2016.

Chairman \_\_\_\_\_

Attest: \_\_\_\_\_  
Michael Montplair, Cass County Auditor

**CASS COUNTY PLANNING COMMISSION REVIEW**  
Reviewed by the Cass County Planning Commission this \_\_\_\_ day of \_\_\_\_\_, 2016.

Ken Loughhead, Chair \_\_\_\_\_

Attest: \_\_\_\_\_  
Secretary

**SURVEYOR'S CERTIFICATE AND ACKNOWLEDGMENT**

I, Steven A. Ackerman, Registered Land Surveyor, under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the survey of said subdivision; that the distances shown on said plat are correct; that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

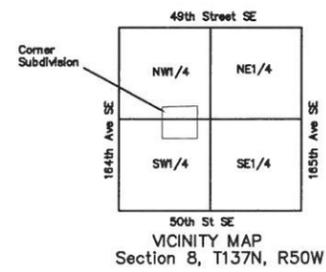
Dated this \_\_\_\_ day of \_\_\_\_\_, 2016.

Steven A. Ackerman, Registered Land Surveyor

STATE OF NORTH DAKOTA )  
COUNTY OF RICHLAND ) ss

On this \_\_\_\_ day of \_\_\_\_\_, 2012, before me, a notary public, with and for said county, personally appeared Steven A. Ackerman, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same.

Notary Public \_\_\_\_\_



OWNERS:  
Holly Jean Corner  
Georgia Ann Corner  
Marjorie Corner

SURVEYOR:  
Steve Ackerman  
107 S 2nd St  
Wahpeton, ND 58075  
701-642-9404  
steve@ackermansurvey.com

Flood Statement:  
This area falls in Zone X as identified by FEMA on Community Panel No. 36025400103 with an effective date of Sept 30, 1987

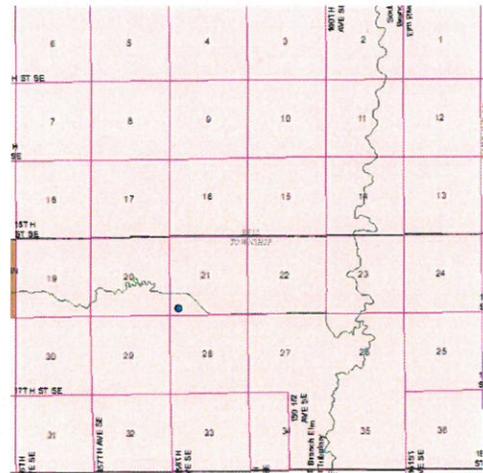
## Final Plat Report

**Title:** Chris Hansen Subdivision  
**Owner(s):** Gordon E. Jewett and Karen A. Jewett  
**Applicant:** Dustan Nygaard  
**Type of Request:** Minor Subdivision (2 lots)  
**Status:** Final Hearing at the July 28, 2016 Planning Commission Meeting

**Proposal:**

An application for a Minor Subdivision (plat) has been received by the Cass County Planning Office for approval of a tract of land located in a part of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 21 in Bell Township to plat 2 lots for sale and residential development. The said tract contains 10.097 acres of land, more or less. The subdivision (plat) will use public gravel roads, on-site septic sewer systems, ditches for storm sewer, and rural water.

**Vicinity Map:**



**Existing and Proposed Land Use:**

The existing land is and will remain Agricultural.

**Staff Analysis:**

The proposed subdivision is located north of 16th Street SE and east of 158th Avenue SE. The proposed plat is currently within an unmapped area therefore no flood determination has been made. According to the preliminary western cass flood study this area is also unmapped. No wetlands are present within the subject tract. The South Branch Elm River runs just north of the proposed plat. The subject property is bound by agricultural land. The proposed use is consistent with County Ordinances and the Bell Township Zoning Ordinance. A deed restriction will need to be recorded for land up to eighty acres. Drain 55 runs to the north and east of the proposed subdivision.

**Agency Comments**

Cass County Engineer	There are no concerns.
Water Resource District	The North Cass Water Resource District concurs with the township recommendation to build the foundation 18 inches higher than the township road adjacent to the property.
Cass County Electric Cooperative	No comment.
Century Link	No comment.
Xcel Energy (Gas Company)	No comment.
Cass Rural Water	The existing house has water service from Cass Rural Water. Service to the second dwelling will be fairly straight forward.
County Sanitarian	No comment.

**Agency Comments**

Township Chairman	Everything seems in order with the permit. At the water board the elevation of the foundation was discussed and decided the elevation should be 18 inches above the gravel road west of the site. There is 20 feet of grade in the section west of the lot. The Elm River flows north of the lot as Drain 55. When pipes are frozen in the spring sometimes the road overtops about 100 yards north of the new house site then reenters the drain. The water board thought as long as the township didn't change the road height, this subdivision should be fine. Two homes fit the township zoning of 4 homes per section.
Public Comment	No comments have been submitted.

**Recommendation:**

To recommend approval to the Cass County Board of Commissioners of the Final Plat as presented as it meets the goals and objectives of the Cass County Comprehensive Plan, the Cass County Highway Access Plan, the Flood Damage Prevention Ordinance, the Cass County Subdivision Ordinance, and all other applicable regulations with the condition of a recorded Deed Restriction.

# CHRIS HANSEN SUBDIVISION

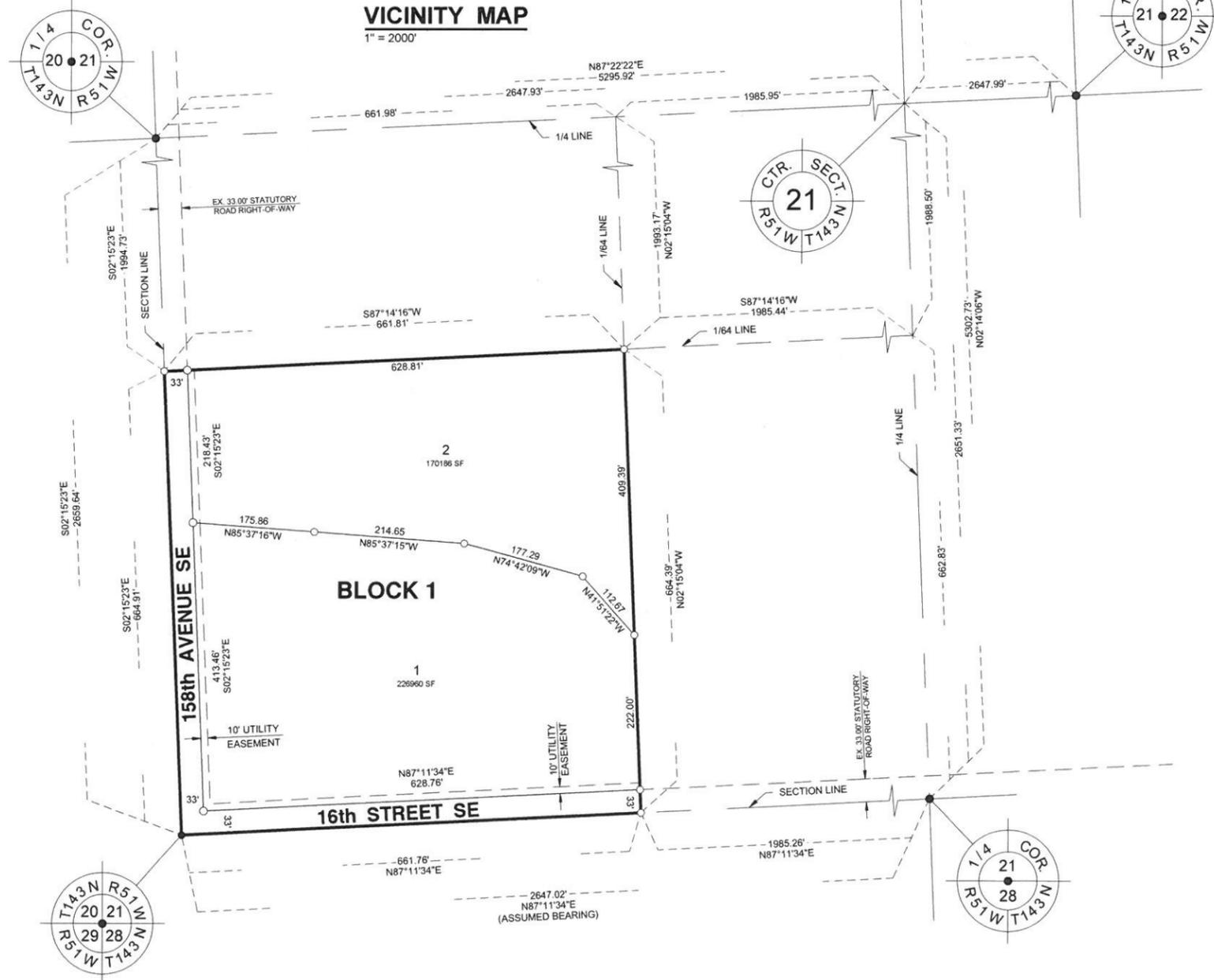
BEING A PLAT OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER  
OF THE SOUTHWEST QUARTER OF SECTION 21, T. 143 N., R. 51 W., 5th P.M.  
CASS COUNTY, NORTH DAKOTA



**VICINITY MAP**  
1" = 2000'



**LEGEND**  
IRON MONUMENT FOUND ●  
1/2" I.D. PIPE SET ○



Owners' Certificate:

Know All Persons By These Presents: Gordon E. Jewett and Karen A. Jewett, husband and wife, are the Owners and Proprietors of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 21, Township 143 North, Range 51 West of the Fifth Principal Meridian, Cass County, North Dakota.

Said tract contains 10.097 acres, more or less.

And that said parties have caused the same to be surveyed and platted as **CHRIS HANSEN SUBDIVISION**, and do hereby dedicate to the public for public use the 33.00 foot wide Street, the 33.00 foot wide Avenue and the 10.00 foot wide utility easement as shown on this plat.

In witness whereof we have set our hand and seals

Owners:

Gordon E. Jewett

Karen A. Jewett

State of North Dakota )  
                                  ) ss  
County of Cass            )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a notary public within and for said county and state, personally appeared Gordon E. Jewett and Karen A. Jewett, Husband and Wife, known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed same as their free act and deed.

Notary Public: \_\_\_\_\_

Surveyor's Certificate:

I, Shawn M. Thomasson, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, that the plat hereon is a true and correct representation of the survey thereof, that all distances are correctly shown on said plat in feet and decimals of a foot, and that the monuments for the guidance of future surveys have been placed in the ground as shown.

Shawn M. Thomasson  
North Dakota PLS No. 5900

State of North Dakota )  
                                  ) ss  
County of Cass            )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a notary public within and for said county and state, personally appeared Shawn M. Thomasson, known to be the person described in and who executed the foregoing instrument and acknowledged that he executed same as his free act and deed.

Notary Public: \_\_\_\_\_

Cass County Engineer:

Reviewed by the Cass County Engineer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Jason Benson, Cass County Engineer

Cass County Planning Commission:

Reviewed by the Cass County Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Ken Lougheed, Chairman

Attest: \_\_\_\_\_  
Secretary

Bell Township:

Reviewed by Bell Township, Cass County, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Wes Ecker, Chairman

Attest: \_\_\_\_\_  
Myrna Ecker, Clerk

Cass County Board Of Commissioners' Approval:

Approved by Cass County, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Mary Scherling, Chairwoman

Attest: \_\_\_\_\_  
Michael Montplaisir, Cass County Auditor

Project No. 8772-001

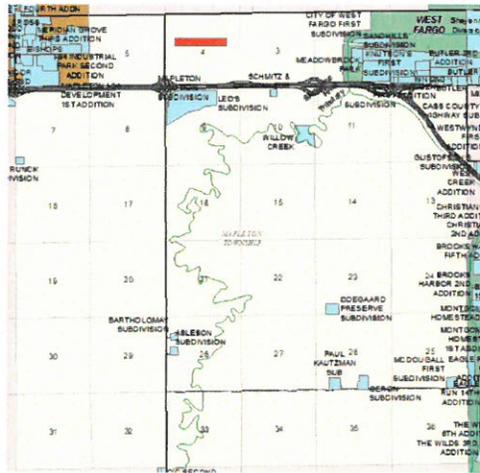
## Final Plat Report

**Title:** Kindred I94 Exit Subdivision  
**Owner(s):** Rosalind Vigen ETAL  
**Applicant:** Cenex Pipeline, LLC  
**Type of Request:** Minor Subdivision (2 lots)  
**Status:** Final Hearing at the July 28, 2016 Planning Commission Meeting

**Proposal:**

An application for a Minor Subdivision (plat) has been received by the Cass County Planning Office for approval of a tract of land located in a part of the North Half of Section 4 in Mapleton Township to plat 2 lots for sale and heavy commercial/light industrial development. The said tracts contain 123.95 acres of land, more or less. The subdivision (plat) will use county road access, on-site septic sewer systems, ditches for storm sewer, and rural water.

**Vicinity Map:**



**Existing and Proposed Land Use:**

The existing land is and will remain Agricultural.

**Staff Analysis:**

The proposed subdivision is located north of 16th Street SE and east of 158th Avenue SE. The eastern portion of the proposed plat is currently within a Zone A flood zone based on the red river SFHA. According to the preliminary western cass flood study this area is primarily all within a Zone A flood zone. A small wetland area exists in the farthest Northwest corner of the proposed plat. The subject property is bound by agricultural land and lies south of the railway. The proposed use is consistent with County Ordinances and the Mapleton Township Zoning Ordinance. Drain 14 runs along the eastern border.

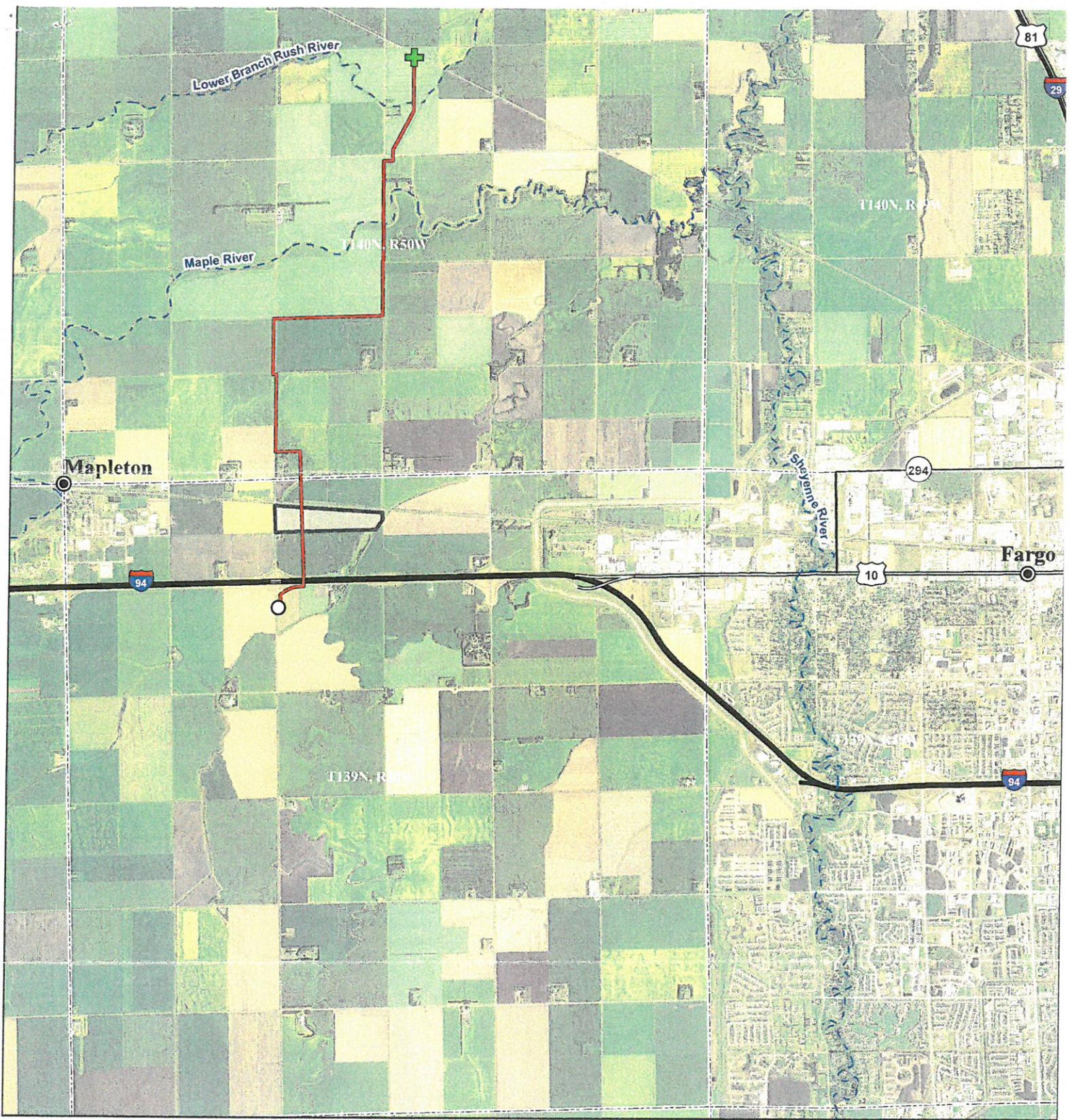
**Agency Comments**

Cass County Engineer Water Resource District	Due to the proximity to Drain 14, the Maple River Water Resource District requests Cass County require dedication of right of way to accommodate Drain 14.
Cass County Electric Cooperative	There is an existing underground power line easement on the West side of the property that will be used to bring power into the site.
Century Link	No comment.
Xcel Energy (Gas Company)	No comment.
Cass Rural Water	Cass Rural Water has been contacted and is looking at a couple of different routes and does not see any road blocks.
County Sanitarian Township Chairman	No comment. A zoning change, conditional use permit, and height variance have all been heard and approved at the township. The elevation certificate has not been received yet for the floodplain development permit requirements. There are no concerns will spillage. Either separate levees will be placed around each tank or around the entire six tanks depending on

	results. Each tank will be built 2½ feet above BFE. There are no other issues to comment on.
Public Comment	No comments have been submitted.

**Recommendation:**

To recommend approval to the Cass County Board of Commissioners of the Final Plat as presented as it meets the goals and objectives of the Cass County Comprehensive Plan, the Cass County Highway Access Plan, the Flood Damage Prevention Ordinance, the Cass County Subdivision Ordinance, and all other applicable regulations.



**Cenex Mapleton Terminal**

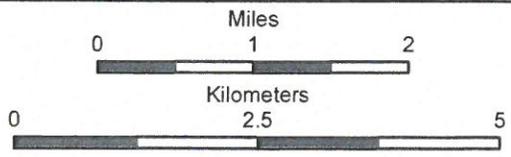
- Mapleton Junction Site
- ⊕ Connection to Cenex 8" Laurel Pipeline
- City
- Proposed NuStar Laurel Interconnect Pipeline
- - - Flowline
- Interstate Highway
- U.S. Highway
- State Highway
- ▭ Proposed Cenex Mapleton Terminal Site
- - - Township/Range Boundary



116 North 4th Street  
Suite 200  
Bismarck, ND 58501

Phone: 701.258.6622  
Fax: 701.258.5957

www.swca.com



Base Map: 2015 Aerial Imagery  
Source: USDA/FSA -  
Aerial Photography Field Office  
Quadrangle: West Fargo North (1976),  
Mapleton (1976)  
Township/Range: T. 139N, R. 50W  
Cass County, North Dakota

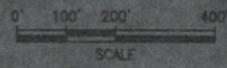


Projection: NAD 1983 UTM Zone 14N





CENEX PIPELINE, LLC  
 MAPLETON TERMINAL SITE  
 128.63 ACRES



REVISION	DATE	DRN	CKD	APD	DESCRIPTION
A	6-6-2016	M. GEE			ORIGINAL

DESIGNED BY	CNS PROJECT MANAGER
M. GEE	M. GEE
LEGACY DRAWING NUMBER	CNS PROJECT NUMBER
	EB1648
ORIGINAL DATE OF ISSUE	PLOT SCALE
6-6-2016	AS SHOWN

MAPLETON TERMINAL PLOT PLAN					
FACILITY LOCATION CODE	DISCIPLINE CODE	DISCIPLINE SUB CODE	LOCATION NUMBER	DRAWING NUMBER	REV.
MPT	CI	03	0000	001	A

